

ORDINANCE NO. 2024-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS, AMENDING THE NEW BRAUNFELS CODE OF ORDINANCES, CHAPTER 144 ZONING, SECTION 3.3 ZONING DISTRICTS AND REGULATIONS FOR PROPERTY ZONED PRIOR TO JUNE 22, 1987, SECTION 3.4 ZONING DISTRICTS AND REGULATIONS FOR PROPERTY ZONED SUBSEQUENT TO JUNE 22, 1987, SECTION 5.1 PARKING, LOADING, STACKING AND VEHICULAR CIRCULATION, SECTION 5.6 BED AND BREAKFASTS, AND SECTION 5.17 SHORT TERM RENTAL OR OCCUPANCY; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; CONTAINING A SAVINGS CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Chapter 211 of the Texas Local Government Code empowers a city to enact zoning regulations and provide for their administration, enforcement and amendment; and

WHEREAS, the City Council of the City of New Braunfels, Texas, deems it necessary and desirable to establish zoning regulations to provide for the orderly development of property within the City by governing the use of land in order to promote the public health, safety, morals and general welfare of the residents of the City; and

WHEREAS, the Comprehensive Plan, Envision New Braunfels, has multiple action items supporting updates that improve regulations, including Action Item 1.3: Encourage balanced and fiscally responsible land use patterns; Action Item 1.5: Promote economic centers by ensuring adequate parking for people to visit businesses/restaurants/shops; Action Item 1.6: Incentivize infill development and redevelopment to take advantage of existing infrastructure; Action Item 1.11: Update policies and codes to achieve development patterns that implement the goals of this plan; Action Item 2.33: Encourage vertical growth and development of key areas to take advantage of infrastructure capacity, maintain the core, and to discourage sprawl; Action Item 3.6: Pro-actively provide a regulatory environment that remains business and resident friendly; Action Item 3.10: Change zoning/land use and platting rules, and create tax and permit fee incentives in underutilized neighborhoods, nodes, and corridors to encourage redevelopment; Action Item 3.19: Improve walkability across town to attract younger generations seeking

pedestrian connections; Action Item 3.31: Adopt policies and ordinances supportive of workforce housing, creating opportunities that make investment in workforce housing more feasible for private and nonprofit developers; Action Item 5.6: Implement measures to achieve and maintain a high National Flood Insurance Program CRS rating to ensure the safety of all residents and to reduce property owner flood insurance rates; and Action Item 7.8: Enhance pedestrian quality of the City by limiting the realm of the automobile; and

WHEREAS, the City Council has directed that regulations dealing with the minimum parking requirements be reviewed by the Planning Commission to make recommendations concerning improving those regulations; and

WHEREAS, the Planning Commission held a public hearing on the proposed amendments on August 7, 2024; and

WHEREAS, the City Council held a public hearing and first reading on said amendments on November 25, 2024, and a second reading on December 9, 2024; and

WHEREAS, the City Council hereby finds and determines that adopting these amendments will clarify the rules, update terms, reduce redundancy, improve consistency, streamline processes, facilitate flexibility, address identified issues ahead of the Land Development Ordinance, and are in the best interest of the citizens of New Braunfels. **Now, therefore,**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NEW BRAUNFELS, TEXAS:

SECTION 1

THAT Chapter 144, Zoning, Section 3.3, Zoning districts and regulations for property zoned prior to June 22, 1987, is hereby amended with additions as underlined and deletions as stricken:

Sec. 144-3.4. - *Zoning districts and regulations for property zoned prior to June 22, 1987.*

Sec. 144-3.3-1 “R-1” *single-family district.* The following regulations shall apply in all “R-1” districts:

(b)(1)(viii) *Lot depth.* 100 feet.

~~(b)(1)(ix) *Parking.* Two off-street parking spaces shall be provided for each one-family detached dwelling. See section 144-5.1 for other permitted uses' parking.~~

(b)(2) *Non-residential uses.*

(b)(2)(viii) *Lot depth.* 100 feet.

~~(b)(2)(ix) *Parking.* See section 144-5.1 for permitted uses' parking.~~

Sec. 144-3.3-2 “R-2” single-family and two-family district. The following regulations shall apply in all “R-2” districts:

(b)(1)(viii) *Lot depth.* Minimum of 100 feet. The purpose of the width and depth requirements is to provide guidance and standards for the development of new duplex lots and shall not be used as a factor to determine if existing lots that otherwise meet the minimum lot size herein shall allow the construction of a duplex.

~~(b)(1)(ix) *Parking.* See section 144-5.1.~~

(b)(2) *Non-residential uses.*

(b)(2)(viii) *Lot depth.* 100 feet.

~~(b)(2)(ix) *Parking.* See section 144-5.1 for permitted uses' parking.~~

Sec. 144-3.3-3 “R-3” multifamily district. The following regulations shall apply in all “R-3” districts:

(b)(1)(viii) *Lot depth.* 100 feet. The purpose of the width and depth requirements is to provide guidance and standards for the development of new duplex lots and shall not be

used as a factor to determine if existing lots that otherwise meet the minimum lot size herein shall allow the construction of a duplex.

~~(b)(1)(ix) Parking. See section 144-5.1.~~

(b)(2) Multifamily dwellings.

(b)(2)(xi) Lot depth. Minimum of 100 feet.

~~(b)(2)(xi) Parking. For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. One bedroom apartment or unit: One and one-half spaces.~~
- ~~2. Two bedroom apartment or unit: Two spaces.~~
- ~~3. Each additional bedroom: One-half space.~~
- ~~4. Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space ("low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

(b)(4)(3) Non-residential uses.

(b)(4)(3)(viii) Lot depth. 100 feet.

~~(b)(4)(ix) Parking. See section 144-5.1 for permitted uses' parking.~~

Sec. 144-3.3-4 "B-1" conventional and mobile home district. The following regulations shall apply in all "B-1" districts:

(b)(1)(viii) Lot depth. 100 feet. The purpose of the width and depth requirements is to provide guidance and standards for the development of new duplex lots and shall not be used as a factor to determine if existing lots that otherwise meet the minimum lot size herein shall allow the construction of a duplex.

~~(b)(1)(ix) Parking. See section 144-5.1.~~

(b)(2) *Multifamily dwellings.*

(b)(2)(xi) *Lot depth.* 100 feet.

~~(b)(2)(xii) *Parking.* For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. One bedroom apartment or unit: One and one-half spaces.~~
- ~~2. Two bedroom apartment or unit: Two spaces.~~
- ~~3. Each additional bedroom: One-half space.~~
- ~~4. Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space ("low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

Sec. 144-3.3-5 "TH" townhouse district. The following regulations shall apply in all "TH" districts:

(c)(2) *Accessory buildings.* Any detached accessory buildings permitted, except carports open on at least two sides, shall be set at least three feet away from the side lot line unless their walls are equal in fire resistance to the common walls on the main structure. Detached carports, open on at least two sides, may be built to the property line with no common wall required. Rear building setback for an accessory building shall be three feet. Any accessory building permitted in the district "R-1" shall be permitted in district "TH".

~~(c)(3) *Parking.* There shall be at least two off-street parking spaces for each townhouse. See section 144-5.1 for other permitted uses' parking.~~

Sec. 144-3.3-6 "ZH" zero lot line home district. The following regulations shall apply in all "ZH" districts:

(c)(4) *Overhang.* Eaves and gutters may overhang the zero lot line side of the lot by no more than 18 inches. If there is an overhang over the lot line, a gutter is required such that roof runoff shall not be deposited over the lot line onto adjoining property.

~~(c)(5) *Parking.* There shall be at least two off-street parking spaces for each zero lot line home. See section 144-5.1 for other permitted uses' parking.~~

Sec. 144-3.3-7 "C-1" local business district. The following regulations shall apply in all "C-1" districts:

(b)(1)(vii) *Corner lots.* A minimum 25-foot front yard and side building setback adjacent to streets shall be required on all corner lots. A canopy at least six feet in height, attached to the main building, may be built within 15 feet of the street line so long as such construction is not supported by columns which will obstruct the vision of vehicles driving upon adjacent streets.

~~(b)(1)(viii) *Parking.* See section 144-5.1 for permitted uses' parking.~~

(b)(2) *One family and duplex dwellings.*

(b)(2)(viii) *Lot depth.* Minimum of 100 feet. The purpose of the lot width and depth requirements is to provide guidance and standards for the development of new duplex lots and shall not be used as a factor in determining if existing lots that otherwise meet the minimum lot size herein shall allow the construction of a duplex.

~~(b)(2)(ix) *Parking.* See section 144-5.1~~

(b)(3) *Multifamily dwellings.*

(b)(3)(xi) *Lot depth.* 100 ft.

~~(b)(3)(xii) *Parking.* For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. — One bedroom apartment or unit: One and one-half spaces.~~
- ~~2. — Two bedroom apartment or unit: Two spaces.~~
- ~~3. — Each additional bedroom: One-half space.~~
- ~~4. — Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space ("low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

~~See section 144-5.1 for other permitted uses' parking.~~

Sec. 144-3.3-8 "C-2" general business district. The following regulations shall apply in all "C-2" districts:

(b)(1)(viii) *Lot depth.* 100 feet.

~~(b)(1)(ix) *Parking.* See section 144-5.1 for other permitted uses' parking.~~

(b)(2) *One-family and duplex dwellings.*

(b)(2)(viii) *Lot depth.* Minimum of 100 feet. The purpose of the lot width and depth requirements is to provide guidance and standards for the development of new duplex lots and shall not be used as a factor in determining if existing lots that otherwise meet the minimum lot size herein shall allow construction of a duplex.

~~(b)(2)(ix) *Parking.* See section 144-5.1.~~

(b)(3) *Multifamily dwellings.*

(b)(3)(xi) *Lot depth.* 100 feet.

~~(b)(3)(xii) *Parking.* For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. — One bedroom apartment or unit: One and one-half spaces.~~
- ~~2. — Two bedroom apartment or unit: Two spaces.~~
- ~~3. — Each additional bedroom: One-half space.~~
- ~~4. — Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space ("low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

Sec. 144-3.3-9 "C-3" commercial district. The following regulations shall apply in all "C-3" districts:

(b)(1)(vii) *Lot depth.* 100 feet.

~~(b)(1)(viii) *Parking.* See section 144-5.1 for permitted uses' parking.~~

(b)(2) *One-family and duplex dwellings.*

(b)(2)(viii) *Lot depth.* Minimum of 100 feet. The purpose of the lot width and depth requirements is to provide guidance and standards for the development of new duplex lots and shall not be used as a factor in determining if existing lots that otherwise meet the minimum lot size herein shall allow the construction of a duplex.

~~(b)(2)(ix) *Parking.* See section 144-5.1~~

(b)(3) *Multifamily dwellings.*

(b)(3)(xi) *Lot depth.* 100 feet.

~~(b)(3)(xii) *Parking.* For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. One bedroom apartment or unit: One and one-half spaces.~~
- ~~2. Two bedroom apartment or unit: Two spaces.~~
- ~~3. Each additional bedroom: One-half space.~~
- ~~4. Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space ("low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

Sec. 144-3.3-10 "C-4" resort commercial district. The following regulations shall apply in all "C-4" districts:

(b)(1)(viii) *Lot depth.* 100 feet.

~~(b)(1)(ix) *Parking.* See section 144-5.1 for permitted uses parking.~~

(b)(2) *Non-residential.*

(b)(2)(viii) *Lot depth.* 100 feet.

~~(b)(2)(ix) *Parking.* See section 144-5.1 for other permitted uses' parking.~~

(b)(3) *Non-commercial rental living units (not short term).* Buildings hereinafter erected, constructed, reconstructed or altered in district "C-4," that are not for commercial or commercial-residential use but are for private residences, duplexes, or apartments, or for any use also permitted in the "R" districts, shall be subject to the following:

(b)(3)(a)(viii) *Lot depth.* Minimum of 100 feet. The purpose of the lot width and depth requirements is to provide guidance and standards for the development of new duplex lots and shall not be used as a factor in determining if existing lots that otherwise meet the minimum lot size herein shall allow the construction of a duplex.

~~(b)(3)(a)(ix) *Parking.* See section 144-5.1~~

(b)(3)(b) *multifamily dwellings.*

(b)(3)(b)(xi) *Lot depth.* 100 feet.

~~(b)(3)(b)(xii) *Parking.* For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. One bedroom apartment or unit: One and one-half spaces.~~
- ~~2. Two bedroom apartment or unit: Two spaces.~~
- ~~3. Each additional bedroom: One-half space.~~
- ~~4. Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space ("low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

Sec. 144-3.3-11 "M-1" light industrial district. The following regulations shall apply in all "M-1" districts:

Sec. 144-3.3-12 "M-2" heavy industrial district. The following regulations shall apply in all "M-2" districts:

(b)(8) *Lot depth.* The depth of the lot shall be at least 100 feet.

~~(b)(9) *Parking.* See section 144-5.1 for permitted uses parking.~~

SECTION 2

THAT Chapter 144, Zoning, Section 3.4, Zoning districts and regulations for property zoned subsequent to June 22, 1987, is hereby amended with deletions as stricken:

Sec. 144-3.4. - Zoning districts and regulations for property zoned subsequent to June 22, 1987.

Sec. 144-3.4-1 “APD” agricultural/pre-development district.

(b)(8) *Lot depth.* 100 feet.

~~(b)(9) *Parking.* See section 144-5.1 for other permitted uses’ parking.~~

Sec. 144-3.4-2 “R-1A-43.5” single-family district.

(b)(1)(viii) *Lot depth.* 100 feet.

~~(b)(1)(ix) *Parking.* Two off-street parking spaces shall be provided for each one-family detached dwelling. See section 144-5.1 for other permitted uses’ parking.~~

(b)(2) *Non residential uses.*

(b)(2)(viii) *Lot depth.* 100 feet.

~~(b)(2)(ix) *Parking.* See section 144-5.1 for permitted uses’ parking.~~

Sec. 144-3.4-2 “R-1A-12” single-family district.

(b)(1)(viii) *Lot depth*. 100 feet.

~~(b)(1)(ix) *Parking*. Two off-street parking spaces shall be provided for each on-family detached dwelling. See section 144-5.1 for other permitted uses' parking.~~

(b)(2) *Non residential uses*.

(b)(2)(viii) *Lot depth*. 100 feet.

~~(b)(2)(ix) *Parking*. See section 144-5.1 for permitted uses' parking.~~

Sec. 144-3.4-2 "R-1A-8" single-family district.

(b)(1)(viii) *Lot depth*. 100 feet.

~~(b)(1)(ix) *Parking*. See section 144-5.1 for permitted uses' parking.~~

(b)(2) *Non residential uses*.

(b)(2)(viii) *Lot depth*. 100 feet.

~~(b)(2)(ix) *Parking*. See section 144-5.1 for permitted uses' parking.~~

Sec. 144-3.4-2 "R-1A-6.6" single-family district.

(b)(1)(viii) *Lot depth*. 100 feet.

~~(b)(1)(ix) *Parking*. See section 144-5.1 for permitted uses' parking.~~

(b)(2) *Non residential uses*.

~~(b)(2)(ix) Parking. See section 144-5.1 for permitted uses' parking.~~

Sec. 144-3.4-2 "R-1A-5.5" single-family district.

(b)(1)(viii) *Lot depth.* Minimum 110 feet.

~~(b)(1)(ix) Parking. Two off-street parking spaces shall be provided for each one-family detached dwelling. See section 144-5.1 for other permitted uses' parking.~~

(b)(2) *Non-residential uses.*

~~(b)(2)(viii) Parking. See section 5.1 for permitted uses' parking.~~

Sec. 144-3.4-2 "R-1A-4.4" single-family district.

(b)(1)(viii) *Lot area.* Every single-family dwelling hereafter erected or altered shall provide a lot area of not less than 4,000 square feet. Where a lot has less area than herein required and such lot was in separate ownership prior to September 25, 1967, this requirement will not prohibit the erection of a one-family dwelling. Where public or community sewer is not available and in use, for the disposal of all sanitary sewage, each lot shall provide not less than one-half acre per dwelling unit not located over the Edwards Aquifer Recharge Zone and one acre per dwelling unit located over the recharge zone.

~~(b)(1)(ix) Parking. Two off-street parking spaces shall be provided for each one-family detached dwelling. See section 144-5.1 for other permitted uses' parking.~~

(b)(2) *Non-residential uses.*

(b)(2)(vi) The minimum width of an interior lot shall be 45 feet and the minimum width of a corner lot shall be 50 feet.

~~(b)(2)(viii) Parking. See section 144-5.1 for permitted uses' parking.~~

Sec. 144-3.4-3 “R-2A” single-family and two-family district.

(b)(1)(viii) *Lot depth.* Minimum of 100 feet. The purpose of the lot width and depth requirements is to provide guidance and standards for the development of new duplex lots and shall not be used as a factor in determining if existing lots that otherwise meet the minimum lot size herein shall allow the construction of a duplex.

~~(ix) *Parking.* See section 144-5.1~~

(b)(2) *Non-residential uses.*

(b)(2)(viii) *Lot depth.* 100 feet.

~~(b)(2)(ix) *Parking.* See section 144-5.1 for permitted uses’ parking.~~

Sec. 144-3.4-4 “R-3L” multifamily low density district.

(b)(1)(xiii) *Lot depth.* 100 feet.

~~(b)(1)(xiv) *Parking.* For apartments, apartment hotel units and other multifamily dwellings, off street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. — One bedroom apartment or unit: One and one-half spaces.~~
- ~~2. — Two bedroom apartment or unit: Two spaces.~~
- ~~3. — Each additional bedroom: One-half space.~~
- ~~4. — Each dwelling unit provided exclusively for low income elderly occupancy: — Three-fourths space (“low income elderly” is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

~~See section 144-5.1 for other permitted uses’ parking.~~

(b)(2) *Non-residential uses.*

(b)(2)(viii) *Lot depth.* 100 feet.

~~(b)(2)(ix) *Parking.* See section 144-5.1 for permitted uses' parking.~~

Sec. 144-3.4-5 “R-3H” multifamily high density.

(b)(1)(xiv) *Lot depth.* 100 feet.

~~(b)(1)(xv) *Parking.* For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. One bedroom apartment or unit: One and one-half spaces.~~
- ~~2. Two bedroom apartment or unit: Two spaces.~~
- ~~3. Each additional bedroom: One-half space.~~
- ~~4. Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space (“low income elderly” is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

~~See section 144-5.1 for other permitted uses' parking.~~

(b)(2) *Non-residential uses.*

(b)(2)(viii) *Lot depth.* 100 feet.

~~(b)(2)(ix) *Parking.* See section 144-5.1 for permitted uses' parking.~~

Sec. 144-3.4-6 “B-1A” conventional and manufactured home district.

(b)(7) *Lot area per family.* Every single-family and duplex dwelling hereafter erected or altered shall have a lot area of not less than 6,600 square feet per family for interior lots, and 7,000 square feet per family for corner lots, provided that where a lot has less area than herein required and such lot was in separate ownership prior to September 25, 1967, this requirement will not prohibit the erection of a one-family dwelling. Where a public or community sewer is not available and in use for the disposal of all sanitary sewage, each lot shall provide not less than one-half acre and one acre on the Edwards Aquifer Recharge Zone.

~~(b)(8) Parking. See section 144-5.1 for other permitted uses' parking.~~

Sec. 144-3.4-7 "B-1B" manufactured home park district.

(b) *Height and area requirements.* All mobile home parks shall comply with those regulations set forth in Appendix B of this Code.

~~(c) Other requirements.~~

~~Parking. See section 144-5.1 for other permitted uses' parking.~~

Sec. 144-3.4-8 "TH-A" townhouse residential district.

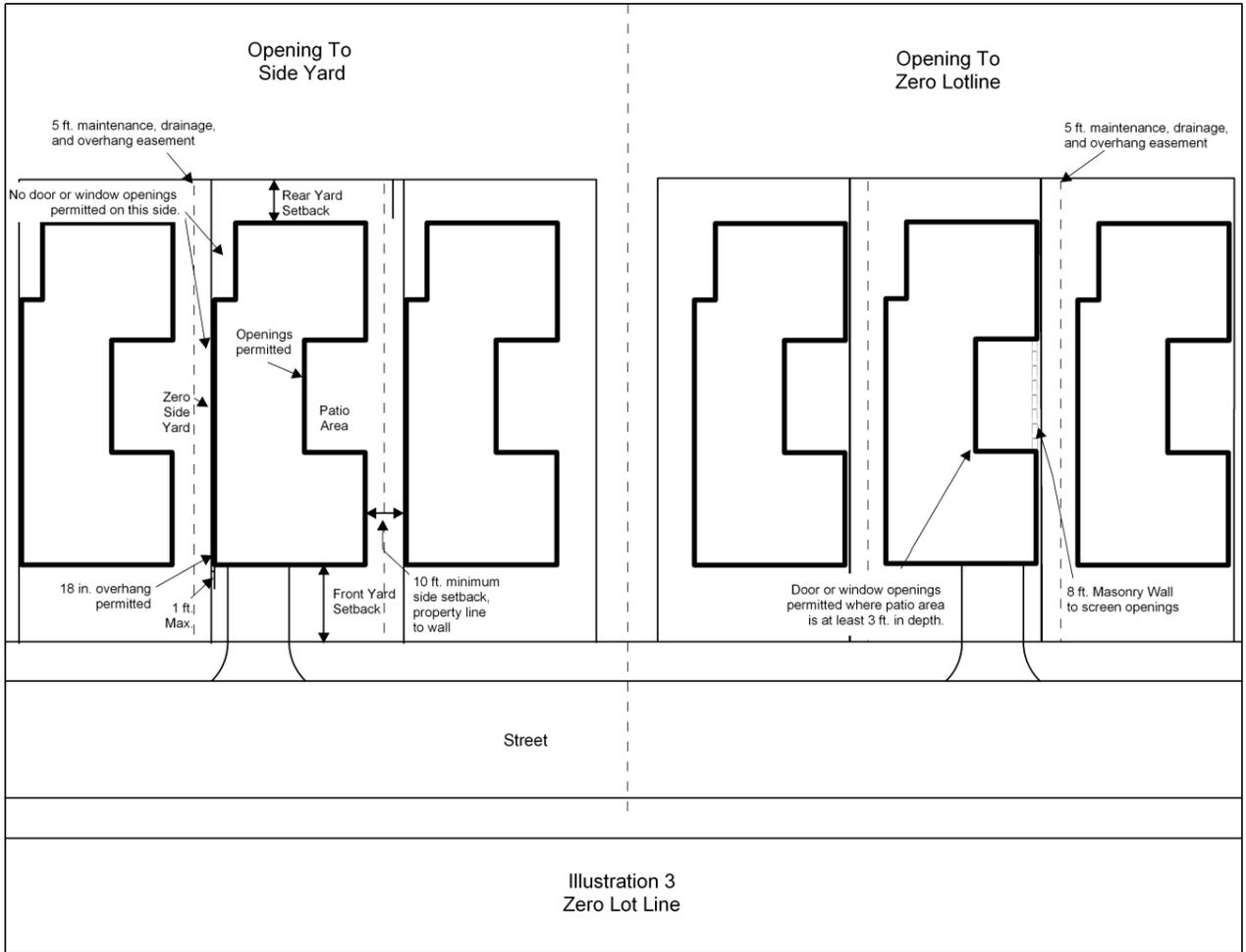
(c)(3) *Accessory buildings.* Any detached accessory buildings permitted, except carports open on at least two sides, shall be set at least three feet away from the side lot line unless their walls are equal in fire resistance to the common walls of the main structure. Detached carports, open on at least two sides, may be built to the property line with no common wall required. Rear building setbacks for an accessory building shall be three feet. Any accessory building permitted in a "R-1A-43.5," "R-1A-12," "R-1A-8," or "R-1A-6.6" district shall be permitted in district "TH-A."

~~(c)(4) Parking. There shall be at least two off-street parking spaces for each townhouse. See section 144-5.1 for other permitted uses' parking.~~

Sec. 144-3.4-9 "ZH-A" zero lot line home district.

(c)(4) *Maintenance, drainage and overhang easement.* A maintenance, drainage and overhang easement of five feet shall be provided on each lot that is adjacent to a lot with a zero setback allowance. This easement shall be for the purpose of maintaining the wall and foundation that is adjacent to one side property line to provide for proper maintenance and drainage.

~~(c)(5) Parking. There shall be at least two off-street parking spaces for each zero lot line home. See section 144-5.1 for other permitted uses' parking~~



Sec. 144-3.4-10 “MU-A” low intensity mixed use district.

(b)(1)(viii) *Lot depth.* 100 feet.

~~(b)(1)(ix) *Parking.* See section 144-5.1 for permitted uses' parking.~~

(2) *One-family and duplex dwellings.*

(b)(2)(viii) *Lot depth.* Minimum of 100 feet. The purpose of the lot width and depth requirements is to provide guidance and standards for the development of new duplex lots and shall not be used as a factor in determining if existing lots that otherwise meet the minimum lot size herein shall allow the construction of a duplex.

~~(b)(2)(ix) *Parking.* See section 144-5.1.~~

(3) *Multifamily dwelling.*

(b)(3)(xii) *Lot depth.* 100 feet.

~~(b)(3)(xiii) *Parking.* For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. One-bedroom apartment or unit: One and one-half spaces.~~
- ~~2. Two-bedroom apartment or unit: Two spaces.~~
- ~~3. Each additional bedroom: One-half space.~~
- ~~4. Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space ("low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

~~See section 144-5.1 for other permitted uses' parking.~~

(b)(4) *Townhouses.*

(b)(4)(vi) *Accessory buildings.* Any detached accessory buildings permitted, except carports open on at least two sides, shall be set at least three feet away from the side lot line unless their walls are equal in fire resistance to the common walls of the main structure. Detached carports, open on at least two sides, may be built to the property line with no common wall required. Rear building setback for an accessory building shall be three feet. Any accessory building permitted in district "R-1" shall be permitted in district "TH."

~~(b)(4)(xii) *Parking.* There shall be at least two off-street parking spaces for each townhouse. See section 144-5.1 for other permitted uses' parking.~~

(b)(5) *Zero lot line/patio homes.*

(b)(5)(xii) *Overhang.* Eaves and gutters may overhang the zero lot line side of the lot by no more than 18 inches. If there is an overhang over the lot line, a gutter is required such that roof runoff shall not be deposited over the lot line onto adjoining property.

~~(b)(5)(xiii) Parking. There shall be at least two off-street parking spaces for each zero lot line home. See section 144-5.1 for other permitted uses' parking.~~

Sec. 144-3.4-11 "MU-B" high intensity mixed use district.

(b)(1)(ix) *Lot depth.* 100 feet.

~~(b)(1)(x) Parking. See section 144-5.1 for other permitted uses' parking.~~

(b)(2) *Multifamily dwellings.*

(b)(2)(viii) *Lot depth.* 100 feet.

~~(b)(2)(xiv) Parking. For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. One-bedroom apartment or unit: One and one-half spaces.~~
- ~~2. Two-bedroom apartment or unit: Two spaces.~~
- ~~3. Each additional bedroom: One-half space.~~
- ~~4. Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space ("low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

~~See section 144-5.1 for other permitted uses' parking.~~

(b)(3)(xi) *Townhouses.*

(b)(3)(xi) *Accessory buildings.* Any detached accessory buildings permitted, except carports open on at least two sides, shall be set at least three feet away from the side lot line unless their walls are equal in fire resistance to the common walls of the main structure. Detached carports, open on at least two sides, may be built to the property line with no common wall required. Rear building setback for an accessory building shall be three feet. Any accessory building permitted in district "R-1" shall be permitted in district "TH."

~~(b)(3)(xii) Parking. There shall be at least two off-street parking spaces for each townhouse. See section 144-5.1 for other permitted uses' parking.~~

Sec. 144-3.4-12 "C-1A" neighborhood business district.

(b)(9) Lot depth. 100 feet.

~~(b)(10) Parking. See section 144-5.1 for permitted uses' parking.~~

(b)(11) Size. Any building on a lot shall be 50,000 square feet or less in size.

Sec. 144-3.4-13 "C-1B" general business district.

(b)(9) Lot depth. 100 feet.

~~(b)(10) Parking. See section 144-5.1 for permitted uses' parking.~~

Sec. 144-3.4-14 "C-2A" central business district.

(b)(1)(ix) Lot depth. 100 feet.

~~(b)(1)(x) Parking. See section 144-5.1~~

(b)(2) Duplexes.

(b)(2)(viii) Lot depth. Minimum of 100 feet. The purpose of the lot width and depth requirements is to provide guidance and standards for the development of new duplex lots and shall not be used as a factor in determining if existing lots that otherwise meet the minimum lot size herein shall allow the construction of a duplex.

~~(b)(2)(ix) Parking. Two off-street parking spaces shall be provided for each two-family dwelling unit. See section 144-5.1 for other permitted uses' parking.~~

(b)(3) Multifamily dwellings.

(b)(3)(xiv) Lot depth. 100 feet

~~(b)(3)(xv) *Parking.* For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. — One bedroom apartment or unit: One and one-half spaces.~~
- ~~2. — Two bedroom apartment or unit: Two spaces.~~
- ~~3. — Each additional bedroom: One-half space.~~
- ~~4. — Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space ("low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

~~See section 144-5.1 for other permitted uses' parking.~~

Sec. 144-3.4-15 "C-4A" resort commercial district.

(b)(1)(vii) *Lot depth.* 100 feet.

~~(b)(1)(viii) *Parking.* See section 144-5.1.~~

(b)(2) *Cabins and cottages (separate or connected)*

(b)(2)(viii) *Lot depth.* 100 feet.

~~(b)(2)(ix) *Parking.*~~

- ~~1. — One bedroom apartment or unit: One and one-half spaces.~~
- ~~2. — Two bedroom apartment or unit: Two spaces.~~
- ~~3. — Each additional bedroom: One-half space.~~

(b)(3) *Multifamily dwellings.*

(b)(3)(xiv) *Lot depth.* 100 feet.

~~(b)(3)(xv) *Parking*. For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. One-bedroom apartment or unit: One and one-half spaces.~~
- ~~2. Two-bedroom apartment or unit: Two spaces.~~
- ~~3. Each additional bedroom: One-half space.~~
- ~~4. Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space ("low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

~~See section 144-5.1 for other permitted uses' parking.~~

Sec. 144-3.4-16 "C-4B" resort facilities district.

(b)(10) *Residential setback*. Effective November 8, 2006, where any building abuts a one- or two-family use or zoning district, the setback from the one- or two-family property line shall be at least 20 feet plus one foot for each foot of building height over 20 feet.

~~(b)(11) *Parking*. See section 144-5.1 for other permitted uses' parking.~~

Sec. 144-3.4-17 "C-O" commercial district.

(b)(1)(viii) *Garage setback*. Where a driveway is located in front of a garage, the garage shall be setback 20 feet from the right-of-way or the driveway to the garage shall be at least 20 feet long to provide enough space for a vehicle to park without overhanging into the right-of-way, if the garage door is closed. (See Illustration 8 in section 144-5.1-1.)

~~(b)(1)(ix) *Parking*. See section 144-5.1~~

(b)(2) *One-family and duplex dwellings*.

(b)(2)(viii) *Lot depth*. Minimum of 100 feet. The purpose of the lot width and depth requirements is to provide guidance and standards for the development of new duplex lots and shall not be used as a factor in determining if existing lots that otherwise meet the minimum lot size herein shall allow the construction of a duplex.

~~(b)(2)(ix) Parking. See section 144-5.1.~~

(b)(3) Multifamily dwellings.

(b)(3)(xii) *Distance between structures.* There shall be a minimum of ten feet between structures side by side; a minimum of 20 feet between structures side by front or rear; a minimum of 40 feet between structures front to front; and a minimum of 20 feet between structures backing rear to rear. (See Illustration 2.)

~~(b)(3)(xiii) Parking. For apartments, apartment hotel units and other multifamily dwellings, off-street parking spaces shall be provided in accord with the following schedule:~~

- ~~1. One-bedroom apartment or unit: One and one-half spaces.~~
- ~~2. Two-bedroom apartment or unit: Two spaces.~~
- ~~3. Each additional bedroom: One-half space.~~
- ~~4. Each dwelling unit provided exclusively for low income elderly occupancy: Three-fourths space ("low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards.)~~

~~See section 144-5.1 for other permitted uses' parking.~~

(b)(4) Townhouses.

(b)(4)(xi) *Accessory buildings.* Any detached accessory buildings permitted, except carports open on at least two sides, shall be set at least three feet away from the side lot line unless their walls are equal in fire resistance to the common walls of the main structure. Detached carports, open on at least two sides, may be built to the property line with no common wall required. Rear building setback for an accessory building shall be three feet. Any accessory building permitted in district "R-1" shall be permitted in district "TH."

~~(b)(4)(xii) Parking. There shall be at least two off-street spaces for each townhouse. See section 144-5.1 for other permitted uses' parking.~~

(b)(5) Zero lot line/patio homes.

(b)(5)(xii) *Overhang*. Eaves and gutters may overhang the zero lot line side of the lot by no more than 18 inches. If there is an overhang over the lot line, a gutter is required such that roof runoff shall not be deposited over the lot line onto adjoining property.

~~(b)(5)(xiii) *Parking*. There shall be at least two off-street parking spaces for each zero lot line home. See section 144-5.1 for other permitted uses' parking.~~

~~(c) *Parking and off-street loading requirements*. The parking requirements for the permitted uses described herein are outlined in section 144-5.1. In the case of mixed uses, i.e., residential and commercial, the parking requirements shall be additive.~~

Sec. 144-3.4-18 “M-1A” light industrial district.

(b)(9) *Lot depth*. 100 feet.

~~(b)(10) *Parking*. See section 144-5.1 for permitted uses' parking.~~

Sec. 144-3.4-19 “M-2A” heavy industrial district.

(b)(9) *Lot depth*. 100 feet.

~~(b)(10) *Parking*. See section 144-5.1 for permitted uses' parking.~~

SECTION 3

THAT Chapter 144, Zoning, Section 5.1, Parking, loading, stacking and vehicular circulation, is hereby amended with additions as underlined and deletions as stricken:

Sec. 144-5.1 *Parking, loading, stacking and vehicular circulation*.

5.1-1 *General provisions*

(a) *Application to existing and future uses*. Except as provided hereafter, the parking space requirements of this chapter shall apply to all buildings hereafter erected, to all changes in use hereafter made, and to all expansions of present uses. Existing uses not meeting the requirements of this section may be continued, and such uses shall be considered as nonconforming uses. Except as provided hereafter, no change in use shall be permitted unless the number of off-street parking spaces required by this section for such proposed use shall have been provided.

(e) *Construction and maintenance.* Commercial and residential off-street parking facilities shall be constructed, maintained and operated in accord with the following specifications:

(e)(5) Any use requiring ~~five or more~~ off-street parking spaces under the provisions of this section shall be required to delineate or mark each space in a manner acceptable to the city. Said delineation or marking shall be in accordance with the parking plan as approved in conjunction with the building permit.

(e)(6) Reserved.

(3)(f) *Minimum dimensions and specifications for off-street parking facilities.* Off-street parking facilities shall be designed to meet the following minimum dimensions and specifications:

(i) *Off-site parking.* As a means of satisfying off-street parking requirements, off-site parking shall be permitted with the approval of an application for off-site parking. Off-site parking is subject to the following:

(i)(1) The applicant has submitted an application for off-site parking that includes an access plan demonstrating that access to the off-site parking is reasonably and safely accessible by the public by foot;

(i)(2) The nearest edge of the closest parking space of the off-site parking is no further than ~~800 feet~~ one-quarter mile (1,320 linear feet) from the lot or parcel of the premise using the off-site parking (subject property);

(i)(3) The off-site parking spaces are not shared with any other off-premise use and are not required parking for any other premise:

(i)(9)(a) An appeal must be made with an application form available in the planning and development services department with the requirements to file an appeal as outlined in section 144-2.2 of this chapter.

(i)(9)(b) The ~~zoning board~~ board of adjustment shall review the site plan and shall approve, approve subject to certain conditions, or disapprove the off-site parking plan.

(i)(9)(c) The ~~zoning board~~ board of adjustment shall determine final approval of disapproval of all off-site parking appeals.

(j) *Valet parking.*

5.1-3 Schedule of required spaces.

(c) For each structure designed for any of the following uses, or for any like use, no less than the number of parking spaces required shall be provided according to the following schedule:

PERMITTED USE	MINIMUM VEHICLE SPACES
Active/independent senior living facility	1.33 per unit <u>One-half per unit</u>
Adult care facility	One for each two employees or staff members, PLUS <u>One space for each five adults for which the facility is licensed by the state per 6 beds</u>
Ambulance service	One for each 400 sq. ft. of gross floor area
Amphitheaters	One for each four persons based on maximum occupancy capacity seats <u>PLUS one per 200 sq. ft. of open assembly area (indoors and outdoors)</u>
Amusement parks	One for each 600 sq. ft. of outdoor recreation area, and 1 for each 400 sq. ft. of indoor recreation area
Amusement services	One for each 200 <u>400</u> sq. ft. of gross floor area
Animal grooming shops	One for each 400 <u>500</u> sq. ft. of gross floor area
Antique shops	One for each 400 <u>800</u> sq. ft. of gross floor area
Apartments	Two-bedroom apartment or unit Two <u>one and one-half</u>
	One-bedroom apartment or unit one and one-half <u>three-fourths</u>
	Efficiency/studio apartment or unit One and one-tenth <u>one half</u>
	Each additional bedroom one-half
	Each dwelling unit provided exclusively for low income <u>or</u> elderly occupancy Three-fourths <u>one half</u>
	("Low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards)
Archery ranges	One for each 600 sq. ft. of outdoor recreation area, and One for each 400 sq. ft. of indoor recreation area
Arenas	One for each four <u>eight</u> persons based on maximum occupancy capacity
Art dealer/gallery	One for each 400 <u>800</u> sq. ft. of gross floor area
Artist or artisans studio	One for each 400 <u>1,000</u> sq. ft. of gross floor area
Assisted living/retirement homes	One for each four employees, and One for each four patient beds, and One for each staff doctor
Asylums	One for each four employees, and One for each four patient beds, and One for each staff doctor

Assembly halls	One for each four seats for patron use, or one for each 100 <u>400</u> sq. ft. of gross floor area, whichever is greater
Auditoriums	One for each 200 sq. ft. of gross floor area, or One for each four seats, or One for each three persons of total building occupancy, whichever is greater <u>One per four seats or one per eight linear feet of seating</u>
Auto leasing	One for each 400 sq. ft. of gross floor <u>indoor sales/office</u> area
Auto glass repair/tinting	One for each 400 sq. ft. of gross floor <u>indoor sales/office</u> area
Automobile driving school	One for each 200 <u>500</u> sq. ft. of gross floor area <u>academic space</u>
Auto muffler shops	One for each 300 <u>400</u> sq. ft. of gross floor <u>indoor sales/office</u> area
Automobile repair shops	Three per service bay <u>One for each 400 sq. ft. of indoor sales/office area</u>
Bakery	One for each 400 sq. ft. of gross floor area
Banks and other financial/lending institutions	One for each 200 <u>500</u> sq. ft. of gross floor area
Barber and beauty shops	One for each 200 <u>250</u> sq. ft. of gross floor area
Bars	One for each three <u>eight</u> seats for patron use, or one for each 75 <u>200</u> sq. ft. of gross floor area, whichever is greater
Bed and breakfasts	See section 144-5.6 <u>One per guest room</u>
Bicycle sales and repair	One for each 400 <u>800</u> sq. ft. of gross floor area
Billiard/pool facility	One for each 200 <u>400</u> sq. ft. of gross floor area
Bingo facility	One for each 200 <u>400</u> sq. ft. of gross floor area
Blueprinting	One for each 1,000 sq. ft. gross floor area lot area
Boarding house	One for each two person the establishment is designed to house, PLUS <u>One for each three employees per 2 bedrooms</u>
Bowling alleys	One for each 400 sq. ft. of gross floor area <u>lane</u>
Brake shops	Three per service bay <u>One per 400 sq. ft. of indoor sales/office area</u>
Cabins	One bedroom apartment or unit One and one-half <u>One per guest room</u> Two bedroom apartment or unit Two Each additional bedroom One-half
Car wash	Three stacking spaces per approach lane, PLUS <u>Automated: Two stacking spaces per wash tunnel</u> Two drying spaces per stall <u>Self-service: None required</u>
Carpenter, cabinet or pattern shops	One for each 400 <u>1,000</u> sq. ft. of gross floor area
Carpet cleaning	One for each 400 <u>800</u> sq. ft. of gross floor area
Children's day care center	One for each two employees or staff members, PLUS One space for each five children for which the facility is licensed by the state <u>PLUS three stacking spaces per pick-up/drop-off lane</u>
Churches <u>or other religious institutions</u>	<u>Whichever of the following is less: one for each 400 <u>500</u> sq. ft. of gross floor area or one for every 6 seats in the main sanctuaries, auditoriums, or other areas containing fixed seating</u>
Circus tents	One for each 400 sq. ft. of gross floor area
Civic clubs not providing regular service of food or alcoholic beverages. (If overnight	One for each five members or one for each 300 sq. ft. of gross floor area, PLUS <u>One for each 5,000 sq. ft. of gross land area, whichever is greater <u>600 sq. ft. of gross floor area</u></u>

accommodations are provided, the requirements of subsection 144-5.1-3 shall be applicable.)	<u>Club having sleeping accommodations: an additional one space for each two persons the establishment is designed to house</u>
Club having sleeping accommodations-	One for each two person the establishment is designed to house, PLUS <u>One for each three employees</u>
Colleges and universities	One for each two teachers and members of the technical and administrative staff, PLUS One for each four additional persons employed on the premises, PLUS One for each five students capacity not residing on campus <u>One per 500 sq. ft. of office, research, and library area PLUS one per 250 sq. ft. of assembly areas and classrooms</u>
Community home	One for each four employees, and One for each four patient bed, and One for each staff doctor
Computer repair	One for each 400 <u>500</u> sq. ft. of gross floor area
Conference centers	One for each 200 <u>250</u> sq. ft. of gross floor <u>indoor</u> area <u>PLUS one per 1,000 sq. ft. of outdoor event area, or</u> One for each four seats, or One for each three persons of total building occupancy, whichever is greater
Contractor's equipment yard	One for each 1,000 sq. ft. gross floor area/lot <u>of indoor office</u> area
Convalescent homes	One for each four employees, and One for each four patient beds, and One for each staff doctor
Convenience store	One for each 200 <u>800</u> sq. ft. of gross floor area
Convenience store with fuel sales	One for each 200 <u>800</u> sq. ft. of gross floor area minus 50% of the gasoline/diesel fueling spaces; and 100% of EV Charging Station Ports may be counted toward the required parking-
Convention centers	One for each 200 <u>250</u> sq. ft. of gross floor <u>indoor</u> area <u>PLUS one per 1,000 sq. ft. of outdoor event area, or</u> One for each four seats, or One for each three persons of total building occupancy, whichever is greater
Cottages	One-bedroom apartment or unit <u>One and one-half</u> three-fourths Two-bedroom apartment or unit <u>Two</u> one and one-half Each additional bedroom one-half
Custom workshops	One for each 200 <u>1,000</u> sq. ft. of gross floor area
Dancehalls	One for each three <u>eight</u> seats for patron use, or One for each 75 <u>200</u> sq. ft. of gross floor area, whichever is greater
Dental clinics	One for each 300 <u>250</u> sq. ft. of gross floor area
Dormitory	One for each <u>four beds</u> two person the establishment is designed to house, PLUS One for each three employees
Driving range	One for each 400 sq. ft. of gross floor area <u>tee</u>
Duplex	Two off street parking spaces <u>One</u> per dwelling unit
Electrical repair shop	One for each 400 <u>500</u> sq. ft. of gross floor area

Electronic assembly— High tech over 100,000 sq. ft.	One for each 3,000 sq. ft. of gross floor area
Event center	One for each four seats for patron use, or one for each 100 <u>400</u> sq. ft. of gross floor area, whichever is greater
Exercise studio and health clubs	One for each 200 <u>250</u> sq. ft. of gross floor area
Exhibition halls	One for each 400 sq. ft. of gross floor area
Fabricating plants	One for each 1,000 sq. ft. gross floor area/lot area
Fair and rodeo grounds	One for each 600 sq. ft. of outdoor recreation area, and <u>1,000 sq. ft. of lot area up to 20,000 sq. ft. PLUS</u> one for each 400 sq. ft. of indoor recreation area <u>2,000 sq. ft. over 20,000 sq. ft.</u>
Feed mills	One for each 1,000 sq. ft. gross floor area /lot area
Filling stations	One for each 400 <u>800</u> sq. ft. of gross floor area <u>minus 50% of the gasoline/diesel fueling spaces; and 100% of EV Charging Station Ports may be counted toward the required parking</u>
Flour mills	One for each 1,000 sq. ft. gross floor area /lot area
Fraternal organizations not providing overnight accommodations or any regular service of food or alcoholic beverages and not affiliated with a college or university. (if overnight accommodations are provided, the requirements of subsection 144-5.1-3 shall be applicable)	One for each five members, or One for each 300 sq. ft. of gross floor area, PLUS One for each 5,000 sq. ft. of gross land area, whichever is greater <u>600 sq. ft. of gross floor area</u> <u>Fraternal organizations having sleeping accommodations: an additional one space for each two persons the establishment is designed to house</u>
Fraternity	One for each two person the establishment is designed to house, PLUS One for each three employees
Funeral homes	One for each 400 <u>600</u> sq. ft. of gross floor area
Go-cart tracks	One for each 600 sq. ft. of outdoor recreation area, and One for each 400 sq. ft. of indoor recreation area
Grain elevators	One for each 1,000 sq. ft. gross floor area/lot area
Grain processing plants	One for each 1,000 sq. ft. gross floor area/lot area
Grocery stores (less than 100,000 sq. ft.)	One for each 200 <u>800</u> sq. ft. of gross floor area
Group quarters	One for each two person the establishment is designed to house, PLUS One for each three employees
Handicraft shops	One for each 400 <u>800</u> sq. ft. of gross floor area
Homes for the aged and infirm	One for each four employees, and One for each four patient beds, and One for each staff doctor
Hospice	One for each four employees, and One for each four patient beds, and One for each staff doctor

Hospitals and all other similar institutions	One for each four employees, and One for each four <u>three</u> patient beds, and One for each staff doctor
Hotel	One and one-tenth for each bedroom <u>per quest room</u>
Industrial/manufacturing and construction uses listed in the land use matrix	One for each 1,000 sq. ft. gross floor area/lot area
Kindergarten	One for each two employees or staff members, PLUS- One space for each five children for which the facility is licensed by the state <u>Two and one-half per classroom PLUS ten stacking spaces per pick-up/drop-off lane</u>
Laboratories	One for each 300 <u>1,000</u> sq. ft. of gross floor area
Laundries, washaterias, dry cleaners	One for each 300 <u>600</u> sq. ft. of gross floor area
Libraries	One for each 400 sq. ft. of gross floor area
Livestock auctions	One for each 1,000 sq. ft. gross floor area/lot area
Locksmiths	One for each 400 <u>500</u> sq. ft. of gross floor area
Lodges not providing overnight accommodations or any regular service of food or alcoholic beverages and not affiliated with a college or university. (if overnight accommodations are provided, the requirements of subsection 144-5.1-3 shall be applicable.)	One for each five members, or One for each 300 sq. ft. of gross floor area, PLUS- One for each 5,000 sq. ft. of gross land area, whichever is greater <u>600 feet of gross floor area</u> <u>Lodges having sleeping accommodations: an additional one space for each two persons the establishment is designed to house</u>
Lodging	One for each two person the establishment is designed house to house, PLUS- One for each three employees <u>One per quest room</u>
Lunch counters and drive-ins	One for each four seats for patron use, or One for each 400 300 <u>300</u> sq. ft. of gross floor area, whichever is greater
Lumberyards	One for each 1,000 sq. ft. gross floor area/lot area
Maintenance/janitorial service	One for each 400 <u>500</u> sq. ft. of gross floor area
Manufactured or mobile home	Two <u>One</u>
Meat markets (less than 100,000 sq. ft.)	One for each 200 <u>800</u> sq. ft. of gross floor area
Medical clinics	One for each 300 <u>250</u> sq. ft. of gross floor area
Medical supplies and equipment	One for each 400 <u>800</u> sq. ft. of gross floor area
Miniature golf	One for each 600 sq. ft. of outdoor recreation area, and One for each 400 sq. ft. of indoor recreation area
Mini-storage warehouses	Four minimum One for 300 <u>per 800</u> sq. ft. of service/retail area, PLUS

	<p>Two <u>one</u> per living quarters</p> <p>No storage of any material or vehicles is allowed in required parking. Rent vehicle areas shall be in striped parking areas and not in required parking spaces. Aisle width of drives located in the storage area shall be at least 24 feet wide.</p>
Mortuaries	One for each 400-600 sq. ft. of gross floor area
Motel	One and one-tenth for each bedroom <u>per guest room</u>
Motor vehicles sales	One for each 400 sq. ft. of gross floor area <u>indoor sales/office area</u>
Motion picture houses	One for each five six seats for patron use
Muffler shops	Three per service bay <u>One per 400 sq. ft. of indoor sales/office area</u>
Multifamily, apartments, hotel units-	One bedroom apartment or unit <u>One and one-half-</u>
	Two bedroom apartment or unit <u>Two-</u>
	Each additional bedroom <u>One-half-</u>
	Each dwelling unit provided exclusively for low income elderly occupancy <u>Three-fourths-</u>
	("Low income elderly" is defined as any person 55 years of age or older with low or moderate income, according to HUD standards)-
Museums	One for each 400 <u>1,000</u> sq. ft. of gross floor area
Nightclubs	One for each three eight seats for patron use, or One for each 75 <u>200</u> sq. ft. of gross floor area, whichever is greater
Nursing homes	One for each four employees, and One for each four patient beds, and One for each staff doctor
Office and service uses	One for each 300 <u>500</u> sq. ft. of gross floor area
Office (HQ with no customer traffic)	One for each 400 <u>500</u> sq. ft. gross floor area
One family dwelling, detached	Two <u>One</u>
Orphanages	One for each four employees, and One for each four patient beds, and One for each staff doctor
Outdoor amusement and recreation establishments	One for each 600 sq. ft. of outdoor recreation area, and One for each 400 sq. ft. of indoor recreation area
Outdoor rides	One for each 600 sq. ft. of outdoor recreation area, and One for each 400 sq. ft. of indoor recreation area
Passenger terminals	One for each 400 <u>800</u> sq. ft. of gross floor area <u>passenger waiting area</u>
Photographic supply	One for each 400-800 sq. ft. of gross floor area
Plant nurseries	One for each 250 <u>500</u> sq. ft. of gross indoor sales and display area, PLUS- One for each 1,000 sq. ft. of outdoor display area
Printing and engraving plants	One for each 1,000 sq. ft. gross floor area lot area
Private clubs and community clubs not providing regular service of food or alcoholic beverages. (If overnight accommodations are-	One for each four members, or One for each 300 sq. ft. of gross floor area, PLUS- One for each 3,000 sq. ft. of gross land area up to ten acres, and One for each 6,000 sq. ft. of gross land area in excess of ten acres, whichever is greater <u>600 sq. ft. of gross floor area</u>

provided, the requirements of subsection 144-5.1-3 shall be applicable.)	<u>Clubs having sleeping accommodations: an additional one space for each two persons the establishment is designed to house</u>
Private clubs and community clubs providing regular service of food or alcoholic beverages	One for each two members, or One for each 300 sq. ft. of gross floor area, PLUS One for each 1,500 sq. ft. of gross land area up to ten acres, and One for each 5,000 sq. ft. of gross land area in excess of ten acres, <u>whichever is greater 600 sq. ft. of gross floor area</u>
Public storage rental units	Four minimum One for 300 <u>per 800</u> sq. ft. of service/retail area, PLUS Two <u>one</u> per living quarters No storage of any material or vehicles is allowed in required parking. Rent vehicle areas shall be in striped parking areas and not in required parking spaces. Aisle width of drives located in the storage area shall be at least 24 feet wide.
Public utility building (except offices)	One for each 1,000 sq. ft. gross floor area/lot area
Quick lube oil change	Three per service bay <u>One per 400 sq. ft. of indoor sales/office area</u>
Racetracks	One for each four persons based on maximum occupancy capacity seats <u>or 1 per 8 linear feet of seating</u>
Radio and television studio	One for each 400-1,000 <u>sq. ft. of gross floor area</u>
Research laboratories	One for each 1,000 sq. ft. gross floor area/lot area
Restaurants and all other similar dining or drinking establishments	One for each four seats for patron use, or One for each 400 <u>300</u> sq. ft. of gross floor area, whichever is greater
Retail establishments, 100,000 sq. ft. or larger	One for each 400-800 <u>sq. ft. of gross floor area</u>
Retail establishments, less than 100,000 sq. ft.	One for each 200 sq. ft. of gross floor area-
<u>River Outfitter</u>	<u>One for every 100 sq. ft. of building, including tube storage structures, or one space for every four tubes (measured by the cubic area of the tube storage area), or one for every four stand up paddle boards (SUPs), kayaks, rafts, or similar recreational flotation devices, whichever is greater</u>
Rooming house	One for each two person the establishment is designed to house, PLUS One for each three employees-
Sales, display, customer or office areas in wholesale establishments	One for each 200 <u>400</u> sq. ft. of gross floor area
Sanitariums	One for each four employees, and One for each four patient beds, and One for each staff doctor
Schools, elementary and junior high schools (public, parochial, private)	One for each two teachers, and One for each two persons employed on the premises, and One for each bus if kept at the school <u>Two and one-half per classroom</u> <u>PLUS ten stacking spaces per pick-up/drop-off lane</u>

Schools, senior high schools (public, parochial, private)	One for each two teachers, and One for each two persons employed on the premises, and One for each ten enrolled students, and One for each bus <u>five classrooms PLUS ten stacking spaces per pick-up/drop-off lane</u>
Schools, martial arts	One for each 300 sq. ft. of gross floor area
Schools, vocational	One for each two teachers and members of the technical and administrative staff, PLUS One for each four additional persons employed on the premises, PLUS One for each five students capacity not residing on campus <u>500 sq. ft. of academic space</u>
Shooting ranges, <u>indoor</u>	One for each four persons based on maximum occupancy capacity <u>firing lane PLUS 1 per 250 sq. ft. of retail, classroom, or office area</u>
Shooting ranges, outdoor	One for each 600 sq. ft. of outdoor recreation area, and One for each 400 sq. ft. of indoor recreation area <u>firing lane</u>
Skating rinks	One for each 200 <u>400</u> sq. ft. of gross floor area
Soft-drink bottling establishments	One for each 1,000 sq. ft. gross floor area/lot area
Sorority	One for each two person the establishment is designed to house, PLUS One for each three employees
Stadiums and athletic fields	One for each four persons based on maximum occupancy capacity <u>per 8 linear feet of bleacher or bench seating. Stadiums and athletic fields associated with public or private schools, K-12, may count parking spaces required for the school toward the required number of spaces for the stadiums and the athletic fields, if on the same site as the associated school</u>
Studios for art, dance, music, drama, reducing, etc.	One for each 200 <u>250</u> sq. ft. of gross floor area
Supermarkets, less than 100,000 sq. ft.	One for each 200 <u>800</u> sq. ft. of gross floor area
Tailor shops	One for each 400 <u>500</u> sq. ft. of gross floor area
Taverns	One for each three <u>eight</u> seats for patron use, or One for each 75 <u>200</u> sq. ft. of gross floor area, whichever is greater
Taxidermist	One for each 400 <u>1,000</u> sq. ft. of gross floor area
Temporary housing	One half space per one bedroom unit/studio; One and one-half spaces per two bedroom unit; Two spaces per three bedroom unit
Theaters	One for each five <u>6</u> seats for patron use
Townhouse, attached	Two <u>One</u>
Transient accommodations (similar to hotel, motel, tourist home)	One and one-tenth for each bedroom <u>per quest room</u>
Truck or transit depots, terminals	One for each 400 <u>1,000</u> sq. ft. of gross floor area
Tube rentals and like-uses-	One for every 100 sq. ft. of building, including tube storage structures, or One space for every four tubes measured by the cubic area of the tube storage area, whichever is greater
Upholstery shop	One for each 400 <u>500</u> sq. ft. of gross floor area

Vacuum cleaner sales and repair	One for each 400 <u>500</u> sq. ft. of gross floor area
Veterinary hospitals	One for each 300 <u>500</u> sq. ft. of gross floor area
Warehouses and storage buildings and yards (except mini-storage warehouses)	One for each 1,000 sq. ft. gross floor area/lot area
Warehouse and storage areas in wholesale establishments	One for each 1,000 sq. ft. gross floor area/lot area
Welding shop	One for each 400 <u>1,000</u> sq. ft. of gross floor area
Well drilling equipment yard	One for each 1,000 sq. ft. gross floor area/lot area
Zero lot line/patio home	Two <u>One</u>

(d) *Parking demand study.*

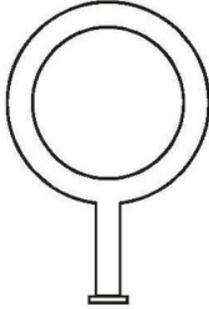
(d)(4) If an applicant submits a parking demand study demonstrating that anticipated off-street parking demand for the proposed use, development, or combination of uses will be less than that required in the above-referenced schedule of parking, and the planning and development services department determines that the information and assumptions used in the study are reasonable and that the study accurately reflects anticipated off-street parking demand for the proposed use, development, or combination of uses, the planning and development services department may authorize a reduction in the required off-street parking spaces based on that study.

(e) *Bicycle parking incentives*

(1) Minimum off-street vehicle parking for non-residential uses may be reduced by one space for every two off-street bicycle parking spaces provided, in accordance with the following design standards:

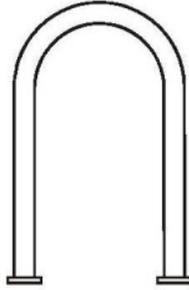
- (i) Bicycle spaces may be provided as short-term outdoor spaces, or long-term indoor or secured spaces.
- (ii) Bicycle parking facilities shall be racks securely anchored on a hard surface or enclosed lockers installed to prevent removal except by authorized personnel.
- (iii) Bicycle parking facilities must not be located within the clear vision area of street or driveway intersections.
- (iv) A bicycle rack must allow a bicycle to be securely held upright with its frame supported in at least two places and allow the frame and one wheel to be locked with a U-lock, or other high-security lock. The figure below provides three examples of acceptable bicycle rack design, but other designs that meet the standards described in this provision are also permitted.

Short-Term Bicycle Rack Design Examples



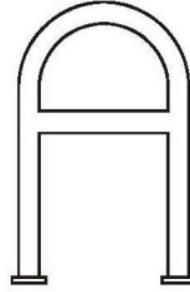
Post & Loop

One rack element supports two bikes



Inverted "U"

One rack element supports two bikes



"A"

One rack element supports two bikes

5.1-4. *Parking and storage of certain vehicles*

SECTION 6

THAT Chapter 144, Zoning, Section 5.6, Bed and breakfasts, is hereby amended with additions as underlined and deletions as stricken:

Sec. 144-5.6. – *Bed and breakfasts.*

Bed and breakfasts are subject to the following requirements:

5.6-1. *Parking.* One off-street parking space per guest room, ~~and one off-street parking space for the owner/proprietor are required.~~

5.6-21. *Number of guest rooms.* The maximum number of guest rooms shall be eight.

5.6-32. *Length of stay.* The maximum length of stay for each guest shall be limited to 14 consecutive days within any 30-day time period.

5.6-43. *Management.* The facility shall be owner occupied in the residential zoning districts and may be manager occupied in other zoning districts.

5.6-54. *Signs.* Signs shall conform to chapter 106.

5.6-65. *Health factors.*

SECTION 7

THAT Chapter 144, Zoning, Section 5.17, Short term rental or occupancy, is hereby amended with deletions as stricken:

Sec. 144-5.17. – Short term rental or occupancy.

5.17-4. *Standards.* All short term rentals permitted pursuant to this chapter are subject to the following standard requirements:

(2) *Parking.* A minimum of one off-street parking space, ~~not including the garage,~~ per sleeping room shall be provided. No required parking shall be permitted within public right-of-way or access easements as defined by city and state regulations regarding parking.

SECTION 8

THAT it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

SECTION 9

THAT all provisions of the Code of Ordinances of the City of New Braunfels not herein amended or repealed shall remain in full force and effect.

SECTION 10

THAT all other ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict only.

SECTION 11

THAT in accordance with the provisions of the City Charter, this Ordinance may be read and published by descriptive caption only. This Ordinance has been publicly available in the office of the City Secretary prior to its adoption.

SECTION 12

THAT this Ordinance shall become adopted and effective upon its second reading, signature required by City Charter, and filing with the City Secretary's Office. This Ordinance must also be published in a newspaper of general circulation at least one time within ten (10) days after its final passage, as required by the City Charter of the City of New Braunfels, Texas.

PASSED AND APPROVED: First reading this 25th day of November, 2024.

PASSED AND APPROVED: Second reading this 9th day of December, 2024.

CITY OF NEW BRAUNFELS

NEAL LINNARTZ, Mayor

ATTEST:

GAYLE WILKINSON, City Secretary

APPROVED AS TO FORM:

VALERIA M. ACEVEDO, City Attorney

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